

**City of Killeen**  
Regular City Council Meeting  
Killeen City Hall  
November 12, 2013 at 5:00 p.m.

Presiding: Mayor Daniel A. Corbin

Attending: Council members Jared Foster, Wayne Gilmore, Steve Harris, Jonathan Okray

Absent: Mayor Pro Tem Blackstone, Councilmember Terry Clark and Councilmember Jose Segarra

Also attending were City Manager Glenn Morrison, City Attorney Kathryn Davis, City Secretary Dianna Barker, and Sergeant-at-Arms M. Mirabel.

Mayor Corbin gave the invocation, and City Manager Glenn Morrison led everyone in the pledge of allegiance.

**Approval of Agenda**

*Motion was made by Councilmember Gilmore to approve the agenda as written. Motion seconded by Councilmember Okray. The motion carried unanimously.*

**Consent Agenda**

CA-1 Consider minutes of Regular City Council Meeting of October 29, 2013.

CA-2 Consider a memorandum/resolution approving Bid No. 13-28, Killeen Civic and Conference Center carpet services for materials and installation.

**Staff comments:** Karlene Jessie - The carpet at the Killeen Civic and Conference Center is in need of replacement. Three bids were received for the materials and installation of this item. The bids were opened and read aloud with the following results: Joel's Floors - \$81,820.73; H&H Carpet - \$90,958.00; Floors-R-Us - \$95,535.35. Staff recommends acceptance of the base bid from Joel's Floors, Killeen, Texas, in the total amount of \$81,820.73.

CA-3 Consider a memorandum/resolution authorizing the purchase of residential and commercial solid waste containers.

**Staff comments:** Scott Osburn - Recommend the City Council authorize the City Manager to continue the procurement of residential trash/recycle containers and parts and commercial containers and parts from Toter, Inc. through the HGAC Cooperative using the full allocation of funds in the amount authorized in the adjusted Solid Waste Annual Budget.

Recommend the City Council authorize the City Manager to procure recycling bins, parts, and accessories from Busch Systems International through the GSA using the full allocation of funds in the amount authorized in the adjusted Solid Waste Annual Budget.

- CA-4 Consider a memorandum/resolution authorizing the purchase of medical supplies through Henry Schein Medical Supply for the Fire Department.  
**Staff comments:** Fire Chief Gardner - The Fire Department is requesting authority to purchase medical supplies from Henry Schein in an amount exceeding the \$50,000 threshold for which Council approval is required. The Fire Department will continue to compare pricing with all vendors to ensure that we are receiving the best pricing for the City. The Fire Department staff recommends that the City Council authorize the Fire Department to purchase medical supplies from Henry Schein for the 2013-2014 fiscal years for items which this vendor provides at the lowest cost.
- CA-5 Consider a memorandum/resolution authorizing the purchase and installation of a traffic monitoring center through Iteris, Inc. for the Transportation Administration Building.  
**Staff comments:** Scott Osburn - City staff members have received a quote from Iteris, Inc. a distributor for Planar, Sole Source Distributor. The following quote has been received from Iteris Inc. / Planar: Video Wall (8) 55-inch MX monitors; VCS software, Installation / Configuration – Video Wall, \$118,964.00.  
Staff recommends that City Council authorize the City Manager to enter into a contract with Iteris, Inc. for the purchase and installation of a traffic monitoring center video wall.
- CA-6 Consider a memorandum/resolution to extend a lease of real property with the Killeen Independent School District for property at Jackson Professional Learning Center, formerly known as Marlboro Heights Elementary School.  
**Staff comments:** Traci Briggs - The current lease expires on November 23, 2013, and KISD Administration has indicated a willingness to renew. The senior center building is owned by the city, and the Head Start building is owned by HCCAA. The lease is necessary to maintain these buildings on the KISD property.  
Staff recommends that the City Council authorize the City Manager to execute a lease extension agreement with KISD for property at Jackson Professional Learning Center, formerly known as Marlboro Heights Elementary School, for the continued operation of a Head Start program and a senior center. New lease would extend until 2033.
- CA-7 Consider a memorandum/resolution to extend an agreement with Hill Country Community Action Association, Inc., for operation of a senior center at 902 Rev. R.A. Abercrombie Drive.  
**Staff comments:** Traci Briggs - The current agreement with HCCAA for the senior center operation does not expire until 2015. However, the city's lease with KISD ends in November 2013. The two agreements (and a third for operation of Head Start at the location) all exist together. In order to track the items together, staff proposes to renew the agreement with HCCAA early. The new term will again be a twenty-year term. Staff recommends that the City Council authorize the City Manager to execute an agreement with HCCAA for the operation of a senior center at 902 Rev Abercrombie Drive.

- CA-8 Consider a memorandum/resolution to extend an agreement with Hill Country Community Action Association, Inc., for operation of a Head Start program at 902 Rev. R.A. Abercrombie Drive.  
**Staff comments:** Traci Briggs - The current agreement with HCCAA for the Head Start program does not expire until 2014. However, the city's lease with KISD ends in November 2013. The two agreements (and a third for operation of senior center at the location) all exist together. In order to track the items together, staff proposes to renew the agreement with HCCAA early. The new term will again be a twenty-year term. The new agreement will also eliminate the requirement that the city provide fire insurance. Staff recommends that the City Council authorize the City Manager to execute an agreement with HCCAA for the operation of a Head Start Program at 902 Rev. Abercrombie Drive, formerly known as Marlboro Heights Elementary School.
- CA-9 Consider a request for a final plat submitted by Kelly J. MacHardy and Jeanine Sandefur (**Case #13-042FS: Killeen G2K Florence Addition**), being approximately 1.430 acres, part of the G. W. Farris Survey, Abstract No. 306. The property is located on the north right-of-way of W. Stan Schlueter Loop (FM 3470), approximately 400 feet west of Old Florence Road, Killeen, Texas.  
**Staff comments:** Tony McIlwain - Mitchell & Associates, Inc. submitted this request on behalf of Kelly J. MacHardy and Jeanine Sandefur for Killeen G2K Florence Addition, being a plat consisting of 1.43 acres out of the G.W. Farris Survey, Abstract No. 306, Killeen, Texas, addressed as 4311 Old Florence Road, Killeen, Texas. The applicant is platting the property into one lot for a future Family Dollar retail store. The property is zoned R-1 (Single-family Residential District) and there is a concurrent zoning case (B-3 Local Business District) for this site.  
Staff advised the Planning and Zoning Commission that the plat had met all provisions of Chapter 26 of the Killeen Code of Ordinances. The Planning and Zoning Commission voted to approve plat case #13-042FS: Killeen G2K Florence Addition by a vote of 7 to 0.

*Motion was made by Councilmember Okray to approve Consent Agenda items 1 through 9.  
Motion was seconded by Councilmember Gilmore. Motion carried unanimously.*

### **Public Hearings / Ordinances**

- PH-1 **HOLD** a public hearing and consider an ordinance amending the FY 2013-14 Annual Budget and Plan of Municipal Services of the City of Killeen by increasing the revenues and expenses in various Police Department's grant accounts related to the FY 2013 Bulletproof Vest Partnership Grant Program.

The City Secretary read the caption of the ordinance.

**Staff comments:** Assistant Chief of Police Longwell - The Police Department was awarded a FY2013 Bulletproof Vest Partnership Grant from the Bureau of Justice Assistance on October 3, 2013. Due to the application process and awarding of the

grant occurring after budget submission, a budget amendment is needed to spend the grant funds. The funds will reimburse officers for bulletproof vest purchases up to 50% of the total cost; the remaining costs (up to \$500) will be reimbursed from the Police Department's budget. The net effect to the General Fund balance will be zero.

Mayor Corbin opened the public hearing. With no one appearing, the public hearing was closed.

*Motion was made by Councilmember Okray to approve PH-1. Motion was seconded by Councilmember Foster; motion carried unanimously.*

PH-2 **HOLD** a public hearing and consider an ordinance requested by Kelly J. MacHardy and Jeanine Sandefur (**Case #Z13-39**) to rezone approximately 1.430 acres, part of the G. W. Farris Survey, Abstract No. 306, from R-1 (Single-family Residential District) to B-3 (Local Business District) for commercial use. The property is locally known as 4311 Old Florence Road, Killeen, Texas.

The City Secretary read the caption of the ordinance.

**Staff comments:** Tony McIlwain - Mitchell & Associates, Inc. submitted this request on behalf of Kelly J. MacHardy and Jeanine Sandefur, to rezone approximately 1.43 acres, being part of the G.W. Farris Survey, Abstract No. 306, from R-1 (Single-family Residential District) to B-3 (Local Business District) for a prospective Family Dollar store. This area is designated as 'General Commercial' on the future land use map (FLUM). This request is consistent with the Comprehensive Plan. The staff notified nine (9) surrounding property owners regarding this request. Staff received no protests. The Planning and Zoning Commission recommended approval of B-3 (Local Business District) zoning for this site by a vote of 7 to 0.

Mayor Corbin opened the public hearing.

David Olson with Mitchell & Associates – Mr. Olson represented the property owner and offered to answer any questions the Council might have.

With no one else appearing the public hearing was closed.

*Motion was made by Councilmember Harris to approve PH-2. Motion was seconded by Councilmember Gilmore; motion carried unanimously.*

PH-3 **HOLD** a public hearing and consider an ordinance requested by Jose M. Blanco (**Case #Z13-42**) to rezone 129 W. Veterans Memorial Boulevard, from RC-1 (Restaurant and Alcohol Sales District) to B-C-1 (General Business and Alcohol Sales District) for Tank's Pub.

The City Secretary read the caption of the ordinance.

**Staff comments:** Tony McIlwain - Jose Blanco submitted this request to rezone 129 W. Veterans Memorial Boulevard (Bus. Hwy. 190), from RC-1 (Restaurant and Alcohol Sales District) to B-C-1 (General Business and Alcohol Sales District) to allow for the sale and on-premises consumption of beer, wine, and/or mixed beverages for Tank's Pub. The property is located at the northeast corner of the intersection of W. Veterans Memorial Boulevard and S. Park Street.

The planning staff notified seventy (70) property owners within a 1,000 foot notification area regarding this request. As of the date of this report, staff received a response in opposition from John Dodd, CEO/President/Superintendent of the Honors Academy Charter School District. The Honors Academy is located at 405 S. 2<sup>nd</sup> Street, Killeen, Texas.

The Planning and Zoning Commission recommended approval of the applicant's request by a vote of 7 to 0. There are no existing public/private schools, churches, or public/private hospitals within 300 feet of the subject site as required under TABC section 109.33.

Mayor Corbin opened the public hearing.

James Warnock, 4309 Gem Ave. – owner of Tanks Pub spoke in favor of the rezoning.

With no one else appearing the public hearing was closed.

*Motion was made by Councilmember Okray to approve PH-3. Motion was seconded by Councilmember Foster; motion carried unanimously.*

PH-4 **HOLD** a public hearing and consider a request for a final plat submitted by W&B Development, Ltd. (**Case #13-041RS: Bridgewood Addition Phase III, Replat**) of approximately 2.883 acres, being a replat of Lot 1, Block 2, Bridgewood Addition Phase III. The property is located along the south right-of-way of W. Stan Schlueter Loop (FM 3470) east of Bridgewood Drive, Killeen, Texas.

**Staff comments:** Tony McIlwain - Mitchell & Associates, Inc. submitted this request on behalf of W&B Development, Ltd. for Bridgewood Addition, Phase III Replat. The property is zoned B-3 (Local Business District) and the applicant is platting the property into two (2) lots.

Staff advised the plat had met all provisions of Chapter 26 of the Killeen Code of Ordinances. The Planning and Zoning Commission voted to approve plat case #13-041RS: Bridgewood Addition Phase III Replat by a vote of 7 to 0.

Mayor Corbin opened the public hearing. With no one appearing, the public hearing was closed.

*Motion was made by Councilmember Gilmore to approve PH-4. Motion was seconded by Councilmember Okray; motion carried unanimously.*

PH-5     **HOLD** a public hearing and consider a request for a final plat submitted by William D. and Joanna Morris (**Case #13-040RS: Norman Commercial East Subdivision Replat No. 2**) of approximately 1.57 acres, being a replat of Lot 1, Block 1, Norman Commercial East Replat. The property is located on the south right-of-way of E. Stan Schlueter Loop (FM 3470), and is addressed as 1300 E. Stan Schlueter Loop (FM 3470), Killeen, Texas.

**Staff comments:** Tony McIlwain - Mitchell & Associates, Inc. submitted this request on behalf of William D. and Joanna Morris for Norman Commercial East Replat No. 2, being a replat of Lot 1, Block 1, Norman Commercial East Replat. The applicant is replatting the property into two lots for future commercial development. The property is zoned B-3 (Local Business District).

The Planning and Zoning Commission voted to approve plat case #13-040RS: Norman Commercial East Subdivision Replat No. 2 by a vote of 7 to 0.

Mayor Corbin opened the public hearing. With no one appearing, the public hearing was closed.

*Motion was made by Councilmember Harris to approve PH-5. Motion was seconded by Councilmember Okray; motion carried unanimously.*

### **Adjournment**

With no further business, upon motion being made by Councilmember Okray, seconded by Councilmember Gilmore, and unanimously approved, the meeting was adjourned at 5:28 p.m.

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Daniel A. Corbin, Mayor

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Dianna Barker, City Secretary